## FUBLIC MEETINGS

BOARD OF COUNCILMEN.

The Board met yesterday afternoon, Mr. Printiple, the President, in the chair.

On metion, the reading of the minutes of the previous meeting was dispensed with in consequence of the failure of the printers to have them ready at the commencement of the proceedings.

My. Dovumenty presented an ordinance to authorize the isste of bonds upon contracts, payable by assessment. He moved to amend section 4 of the ordinance passed Oct. 13, 1852, as follows:

Baction 4. For the purpose of making such payments, it shall be inwful for the Controller to berrow from time to time soch sums as may be necessary, in pursuance of the act of the Legislature of April 16, 1862, upon bonds to be known as assessment bonds, at a rate of interest not exceeding score per cent pen anamm; and, for the payment of said bonds, the moneys as so collected from such assessments are hereby specifically shelped.

Referred to the Committee on Finance.

it adjourn to meet on Thursday afternoon, for the pur-pose of considering the report passed by the Alder-men appropriating \$50,000 for the Central Park Com-

Central Park Improvements.—A debate upon this question ensued, in which a number of members par-

mr. Puntiers the President, said that on several Mr. Phillips, the President, shall take on several cocasions papers were acted upon without being advertized for two days—the time prescribed by the charter. He saw no difficulty in acting upon the report this evening; but, for the sake of complying with the strict letter of the charter, he seconded Mr. Wangh's motion. He affirmed that the Board would find no difficulty in concurring with the Aldermen upon the important measure.

Mr WARNER remarked that it usually took a week

to get any important paper through.

Mr. Boole agreed with Mr. Phillips that this was a

Mr. OTTARSON said that the clause of the charter Mr. Ottarson said that the clause of the charter provided that a report or resolution must be advertised for two days before it is finally acted upon. There was no allusion to the subject being advertised in each Board two days. The purport of the section he alluded to was that the people should know that the Common Council contemplate doing something affecting their interests. If the Aldermen had adventised the paper for the requisite time, they had fulfilled the charter to the letter and spirit. He held that the mere fact of the Board of Aldermen advertising in their proceedings the intention of appropriating \$50,000 for the maprovement of the Central Park was enough to fulfill the law, even if the other Board increased it to \$100,000 or diminished it to \$25,000.

Mr. Wanner thought that the President deciding that a paper must be advertised two days before it can be acted upon was an illiberal construction of the provisions of the Charter.

Mr. Byrdball was of the opinion that each Board should act independently of the other.

Mr. Ottarson maintained that when one Board

should act independently of the other.

Mr. OTTAKSON maintained that when one Board acted upon a paper it was partially disposed of, and could be adopted by the other branch in 48 hours,

could be adopted by the other branch in 48 hours, whether advertised or not.

Mr. Water finally withdrew his resolution.

Mr. Phillips presented the following resolution:

Resolved, That the Cornsel to the Corporation be requested to inform this Board whether it is requisite and necessary that each Board comprising the Common Council shall advertise the same subject, in relation to an expenditure of money, two days before final action thereon by the respective Boards, or whether the advertisement by one Board is all that is essential under the 7th section of the Charter of 1897. Adopted.

Greenpoint Ferry.—A concurrence with the Board of Aldermen, in compelling the proprietors of the Twenty-third street Ferry to run their boats to Greenpoint as often as the Tenth-street Ferry Company, was moved, when Mr. Franklin rose to oppose the adoption of the resolution. He said that the expenses of the Company for the month of July were not less than \$1.500, while the receipts did not reach \$1.200, leaving a tet loss of \$300.

Mr. McCahill advocated the convenience of the Mr. McCahill advocated the convenience of the mechanic who worked in the city but resided at Greenpoint. To get to his work at 5 o'clock in the morning he was compelled to cross the Tenth-street Ferry and then take the cars. He (the speaker) was surprised that Mr. Franklin supported the company, who were not very honorable in their official capasity, although they might be perfectly upright in their business. He was willing to give \$10,000 for the ferry.

Mr. Notes thought it unreasonable to compel that ferry to cross as often as other ferries where the traffic was very great.

was very great.

Mr. WARNER said that the Ferry Company was originally established for conveying the bodies of the dead to a cemetery on Long Island, but subsequently the Company procured the alteration of the terms, in order to accommodate the public, and travelers had superior accommodations now to those afforded under the old describe.

der the old régime.

Mr. BUTLEEL was opposed to referring the matter again to the Ferry Committee, believing that the Union Ferry Company were interested in the subject.

The motion to refer was lost, and, after appropriated and tedicus discussion, the resolution was lost for want of a constitutional vote, and laid on the table.

of a constitutional vote, and laid on the table.

Improvement of Central Park.—Mt. Warner moved that the Board ceneur with the Aldermen in recommending the appropriation of \$50,000 asked for by the Commissioners of the Central Park, in accordance with the terms of the act passed April 17, 1857, for the improvement of Central Park.

The President vacated the chair, as he desired to speak on the measure. He stated that if the Board adopted the resolution on that occasion, they would act illegally. He was willing to meet to-morrow evening for the purpose of passing the measure, as he was desirous that the improvements in the Central Park should be made as speedily as possible. If they concurred with the other Board, the Controller would refuse to comply with the resolution, and would not advance the money. On metion of Mr. Jones, the report w

On motion of Mr. JONES, the report was referred back to the Committee. He then moved that the Committee be discharged from the further consideration of the paper, which was seconded by Mr. OYTERSON. Carried.

The adoption of the report was then moved, when the President declared it lest for want of a constitutional vote, 37 voting in the affirmative, and 17 in the

The report of the Committee on Fire Department

The report of the Committee on Fire Department, recommending the purchase of a first class engine for Company No. 31, was adopted; but on Mr. Offarson's asking if there were 45 members in the house, the President reconsidered his decision, and declared that the report was lost, 43 only voting in the affirmative.

The report of the Finance Committee relative to the Lowber judgment was received, in which they state that they were advised by connsel that there is no way of staying the execution but by the payment of the debt. It was laid over under the rule.

Mr. Jones, the Chairman, said that a supplementary report would be made, in which it would be seen that either the Corporation Counsel or the Controller falsified each other.

falsified each other.

The Board then adjourned to meet on the first Mon-

A SCENE AFTER ADJOURNMENT.

After the acjournment, Mr. Ottarsen came up to the reporters' table, where Robert W. Lowber was sitting. By mere accident, they got into conversation on the matter of the Lowber execution, Mr. O. expressing the opinion that the whole transaction was illegal and a swindle upon the city. Mr. Lowber charged Mr. Ottarson with stating that which was false, and said he was a liar. Mr. O. took no notice, except to say that Mr. L. was entitled to his opinion, and reiterate that he believed the whole scheme to be a fraud upon the city; that it was of a piece with the Gansevoort business; that they worked together, and that if \$35,000 would put one through it would the other. Mr. Lower asked him if he had any of the money. Mr. O. replied that he bad not, and thanked God that his hands were clean. After some further words, Mr. Lowber again called Mr. Ottarson a liar, and the latter retorted by stigmatizing Mr. Lowber as a secondrel and a coward. Lowber instantly made a grab at the Councilman's throat, and a scuffle ensued, which resulted in Low ber's taking his measure on the floor, with a heavy backward fall. There were several members present, who rushed in and separated the parties. No particular damage was done to either. How far this lively style of lobbying will advance the interest of the prac-titioner remains to be seen.

## THE LOWBER CLAIM.

MEETING OF THE FINANCE COMMITTEE OF THE BOARD OF COUNCILMEN.

SPERCHES OF MR. LOWBER AND CORPORATION COUN-SEL BUSTEED-MR. BUSTEED ATTACKS CONTROLLER PLAGG AND THE NEWSPAPERS AND DEFENDS THE COMMON COUNCIL.

The Finance Committee of the Board of Councilmen met yesterday afternoon at 2 o'clock at No. 8 City Hall, Councilmen Jones in the chair, who stated that on Tuesday evening a communication of the Controller to the Common Council was received in the Beard of Councilmen and referred to the Finance Committee, for which purpose they had met, and inasmuch as the Corporation Counsel was also spoken of in such reference, he (the Chairman) would be glad to hear his

Councilmen Bools said that it was late on Tuesday

evening when he entered the Board, and he therefore dd ros bear the communication read, and that the Charmen would greatly oblige him if he would read

Controller relative to the Lowber Claim, &c., which has been already published.

Mr. Lowern seid that for his own safety he wished

to explain binnelf and to show where the Untroller has thrown out folse insinuations in his report, and told many untruths in relation to him Lowber) and his claims, and he would, therefore, ask permission to explain himself.

The CHAIRMAN (Mr. Jones) assented, when Mr Lowsen proceeded to explain the origin of his claim which he said grew out of the city advertising for a market site, and that he, like many others, addressed the following proposition to the Controller:

The Hon. A. C. Flagg, Controller of the Controller:

New York, Nov. 8 1236.

Sin: In pursuance of the notice above annexed, I hereby offerto sell to the Corporation of the City of New York, for the we and papers of a market,

First: The part of the block of ground lying between Avetue
D and the bulkhead on East River, and between Sixteenth and
Seventreath streets, bounded portherly he Source to all. new and purposes of a misset.

First: The part of the block of ground lying between Avenue D and the bulkhead on East River, and between Sixteenth and Seventeenth streets, bounded northerly by Seventeenth streets, 113 feet 2 inches: southerly by Sixteenth street, 20 feet 2 inches: southerly by Sixteenth street, 20 feet 2 inches: southerly by Sixteenth street, 20 feet 3 inches; westerly by Avenue B, 134 feet, and easterly by the bulkhead on East River; containing an area of thirdeen and one third lots, 23 feet front, for the sum of \$3,000 per lot, amounting the \$40,000; also, the new bulkhead from the senter of Sixteenth street to the center line of Seventeenth street, on the East River, and being about 277 feet in length, coating \$54.20 per foot together with the water right in front of said bulkhead and between the center lines of said Sixteenth and Seventeenth streets, as continued, for the vom of \$20,000; also, the full block of ground lying between Avenues C and D and binteenth and Seventeenth streets, bounded northerly by Seventeenth street, 676 feet; southerly by Sixteenth street, 676 feet; southerly by Sixteenth street, 676 feet, southerly by Sixteenth street, 676 feet, southerly by Sixteenth street, 676 feet, and forty street lots, each 25 feet front, for the same of \$130,000.

Second: Also, the casterly one half of the block of ground between Avenues B and C. Sixteenth and Seventeenth street, 500 feet; southerly by Sixteenth street, 301 feet; containing sixteen avenue of \$2,500.

The parcels mentioned in the first head of this proposition to be taken together, with the right to take the pared mentioned in the second head if those in the first head of this proposition to be taken together, with the right to take the pared mentioned in the second head if those in the first head of this proposition to be taken together, with the right to take the pared mentioned in the second head if those in the first head of this proposition to be taken together, with the right to take the pared mentioned in the second

cepted. That he then consummated the bargain by

cepted. That he then consummated the bargain by giving the full title to the ground; which was decined sufficient, as will be seen by the following clause in the report of the Committee on Markets, who had the enbject under consideration at the time:

As to the title of Mr. Lowber, it is sufficient to say that the property, if purchased, is to be conveyed to the city by a good and sufficient warranty deed, to be approved by the Connact of the Cooparation, and to be free and clear of all incumbrances and liens, except as provided in the resolutions.

In the indument of your Committee, this property is not only the most cligible, but the best adapted for the purposes required. The price asked is exercely one half of that asked for the property between Ternit and Eleventh streets, and is fifty per cent less than is asked for the property between Twenty-had treats, exclusive of the bulkineal and water front. They are of the opinion that the property is well worth the price asked by Mr. Lowber, and that it will be for the interest of the city to purchese the same.

Your Committee recommend the adoption of the following resolutions.

Resolved, That the Controlled be, and he is hereby directed to purchase, without delay, for the use and purpose of a market, the property of Reberty of Rebert W. Lowber, countries allock, and part

resolutions

Resolved, That the Controller be, and he is hereby directed to purchase, without delay, for the use and purpose of a market, the property of Robert W. Lowber, comprising a block, and part of block of ground, lying and being in the Eighteenth Ward, and bounded by Sixteenth and Seventeenth street, Avenue C and the Fast River, together with the buikheed in front thereof, extending from the center line of Seventeenth street, and the water front, between the dity lines of said street, as continued, for the sum of one hundred and otherly six thousand dollars (#155,590), the Corporation assuming the taxes, and assessments unpul direction in a cordance with the proposition similarited to the Controller by Robert W. Lowber, under date of November 6, 183, the property to be conveyed by good and sufficient warranty deed, free and clear of all liens and incumbrances, except taxes and assessments, upon the title to the said premises being approved by the Counsei to the Corporation, and the sum of \$4,05,000 is learney appropriated for the purpose storaged, and provided the said taxes and assessments to be assumed by the Corporation, shall not exceed the sum of \$2,5,000.

Resolved, That the said premises, when purchased, shall be subject to the control and supervision of the Commissioners of the Sinkan Fund.

(Sizued)

1. W. COLYER, Sinker Fund.

H. W. COLYER, W. H. CLANE, G. P. BICKFORD, J. N. REYNOLDS, CHARLES DOTY,

That he (Lowber) begged leave to explain this only to show how men will try to lie one man out of his property.

Mr. JONES-We would now like to hear from the

Corporation Counset, for the city is in a state of bank-ruptey, and we must devise some means to relieve it. Mr. Busteen then addressed the Committee as

follows:
MR. CHAIRMAN, AND GINTLEMEN OF THE COM-MR. CHAIRMAN, AND GENTLEMEN OF THE COMMITTEE: This communication of the Controller is
very singular ard looks so to the public. I sm used
to slarder, and, therefore, care not for similar results of the slander of the
slanderer. But I read in this meaning's Thinkan, to
which is connected one of your Board I believe, who
I suppose wrote an article concerning me, in which I
am unfortunately classed as one of the Commissioners
of Record. But in that article if innendo means official dishonesty, the author must be a —, and I am
ready at any momert to answer to him for my assertion, but if it does not mean it, then it is quite the
contary. But to come to the subject before you.
Shortly after I came into office as Counsel to the Corporation, the claim of Mr. Lowber was presented to
me; the claim at the time was a subject of legislative
action and I knew but little of the action which preceded my own in the matter, further than among other
suits brought against the Corporation which are of no suits brought against the Corporation which are of no rarity—having about 100 suits brought in 40 days.

1 saw a suit brought by Robert W. Lowber for \$196,600 which amount he claimed for a contract made by the City Government with him. I examined the contract and found it perfect, and, therefore, could not see how the Corporation could avoid paying the damages, so I wrote to the Controller the following letters.

damages, so I wrote to the Controller the following letter:

LAW DEFARTMENT, City of New York, Office of Country to the Corporation, No. 51

Country street, April 20 1877.

Hom A C. Flago, Controller, Ac.—Dear Sir: Robert W. Law her has commenced at action in the Supreme Country and the City, growing out of a resolution of the Common Council to You are doubtless familiar with the history of the purchase.

I in a that a resolution appropriating the sam of \$100,000 for the purchase of the site from Lowber, passed the Board of Councilmen on the 21st day of January, 1837, and passed the Board of Albermen on the 18th day of February, and this resolution was not velocid or returned by the Mayor.

I caused the title to the premiers monitoued in the resolution to be examined, and have he trofore approved the form of the deed executed by Lowber set wife to the Corporation.

The title was approved of by this Department. In the completion of Mr. Lowber he resides the foregoing faste, and silve ever a the the Mayor for acceptance, and that you severally refused to accept it.

He now prays the aid of the Courts, and demands that by its pudgment the Corporation be made to accept and receive the deed as one prays the aid of the Courts, and demands that by its pudgment the Corporation be made to accept and receive the deed as one prays the aid of the Courts, and demands that by its pudgment the Corporation be made to accept and receive the deed and roay the said sum of \$100,000, with interest, trom the

is ever that he tendered the deeds so approved, according to form, to we and the Mayor for acceptance, and that you eversally refused to accept it.

He now prays the sid of the Courts, and demands that by its indument the Corporation be made to accept and receive the deed and pay the said sum of \$180,000, with interest, trom the list of March, 1507, and specifically execute the contract.

I desire to know whether and tender and refused to accept the second of the favor of your inneading reply in service. I desire the how what fround the refusal to accept the deed proceeded. The time to answer in the case expires to morrow, and I solice the favor of your inneading reply in service. I cannot discover upon the sec of the complaint, or in the action of the Common Council, anything illega, and I will be very glaut to save you point out what action or part of the Charter, or ordinances (if any), you suppose to have been violated in the premise.

Mr. Flagg never sent me as written answer. But I finding the time to answer the complaint about expiring, procured twenty days further time. I then went to the Controller and requested him to send me a written answer. Twenty days further time passed by and still no enswer was received by me. I then with touble procured 'wenty days in the rime passed by and still no enswer was received by me. I then with touble procured 'wenty days in the ranking my default. I again saw the Controller and informed him that I thought be had no defense in the matter, and inquired of him if he had any, for if he had, he must inneadiately communicate it to me, for I would then draw his answer. He said that the only defense he had wes the fact, that the Common Council were all a set of thieves, and that they defrauted the taypayers of New York when they warded the contract to Mr. Lowber, and he said ha wanted to light the suit out, for he was sure to win the case, as the Common Council were all as the order of New York when they defrauted the tay. Payers of New York when they defrauted the contract

which the Committee arese, with the determination of Azariah C. Flagg.

Councilman Crawrono made a few remarks, after which the Controller are the controller of the decision of the referee, as he experted to the contrary, I pronounce it to be untrue, for he knew how it would be since the time he received my letter of April 20, 1857. When I came back to the city, after the report of the referee, the Controller did not ask me to appeal the case, as he asserts in his communication to the Common Council, for before he asked me to do so the time for appeal had passed. In conclusion, I will say that I have no preof that the Mayor, Aldermen and Commonality are thieves, except on the unsupportable assertion of Azariah C. Flagg.

Councilman Crawrono made a few remarks, after which the Committee arese, with the determination

which the Committee arese, with the determination to make a report of progress on Thursday evening to the Board of Councilmen.

COMMISSIONERS OF EMIGRATION. The Board met yesterday, at the office in Worth street—the Hon. Gulian C. Verflanck in the chair,

and a quorum present.

A communication was received from Mr. Theodore S. Fay, stating that in the Cauton of Bern the sale of inlard passage tickets for the United States had been

inlard passage tickets for the United States had been prehibited by the Government, and also stating that he hoped a like action would be had all over Switzerland in a short time.

A communication from the State Department was received, stating that the sale of such tickets had been prohibited in the free city of Lubec.

The New Quarantine.—The following letter was received and read:

The New Quarantine.—The following letter was received and read:

OFFICE OF THE COMMISSIONERS FOR THE REMOVAL OF QUARANTINE STATION. No. 21 William street.

New-York, August 12, 1957.

To the Commissioners of Emigration:
GINTLEMEN: The Board of Commissioners for the removal of the Quarantine St. tion bee leave to call the attention of the Commissioners to the proceedings of this Board on the 6th inst., a copy of which was furnished you by their Secretary on that day. Not having heard from your Board on the subject of these proceedings, the Board doem it their duty to neatify you that, having felleled so much of the trust confided to them as in prescribed in the 21st section of the act entitled "An set "for the removal of the Quarantine Station." the raid temporary accommodations and place for the detention of vessels filleded to in side proceedings are now subject to the present laws and regulations of the Quarantine Station in the Tot of New York, and therefore now in your possession in trust for the people of this State. The Board would also said, that if further accommodations are required for the residence of Mr. R. C. Voorhies, with its outbuildings, ke, mear the beapts buildings, are now provided and ready for the Commissioners of Emigration, and at the expanse of the Commissioners for the Removal of the Quarantine Station.

Respectfully yours, ke. GEO. HALL, Chairman.

JONS S. SENDIKER, Secretary.

At the auggestion of Mr. Carrigan, the following

At the suggestion of Mr. Cannigan, the following communication from the same source, which was received last week too late to be laid before the Board, was read:

crived last week too late to be laid before the Board, was read:

OFFICE OF THE COMMISSIONERS FOR THE REMOVAL OF A QUARANTINE STATION, No. 23 William street.

New York, Aug. 6, 1857.

To the Hon, the Commissioners of Emioration.

GENTLEMEN, At a meeting of the Board of Commissioners for the Removal of the Quarantine Station, held this 6th day of Acquat inst. the following preamble and resolution were adopted, and I was directed to finish your hoadrable Board with a copy of the same, which preamble and resolution are as follows:

Whereas, The building, wharf, Ac., on the property of the State, near Seguine's Foint erected by this Board for the temporary accommodation of the sist with yellow fever or other peatile nitial diseases, are now complete and ready for occupation, and they be likewing it unadvisable under the circumstances of this being a temporary Querantine to erect further buildings, and as a very convenient dwelling, barn, &c., in the immediate vicinity, can and will be leased by them if required by the Commissioners of Emigration on being notified of the necessity of the same; therefore.

missioners of Embration on being notified of the necessary of the same; therefore,

Resolved, That the Commissioners of Emigration be notified of the same, and that the each promises will be delivered up to them subject to their use on Monday next, the 19th inst.

Resolved, That the Scoretary of this Board furnish to the Commissioners of Emigration a copy of the foregoing preamble and resolve.

The foregoing are true copies of the preamble and resolves as centained in the minutes of the Board of Commissioners for the Renoval of the Quarantine, held this day. Yours, &c.,

JOHN S. SNEDEKER, Secretary.

Mr. Carrigan moved to lay the above communications upon the table, until after the reading of the report of the Committee on Quarantine removal. The building mentioned for the physician's residence, he said, is three-quarters of a mile or a mile from the hospitals, when it should be within the Quarantine incleance. Dr. Thompson, although he has not written, has verbally stated to us that he thought the location unfit, and the arrangements inadequate.

The report of the Committee was then read, as follows:

To the Commissioners of Emigration Your Committee in regard to the

edor, Resident Physician, Realth Ohices, and the Mayaris some of the prominent shipping merchants and underities, to visit the Point on Monday last.
That on that day your Committee proceeded with the parties
ities to Sequite's Point, and made a carini examination of the
idings and arrangements prepared by the Quarantine Comsistences.

By the act authorizing the establishment of a temporary
as antine, the Quarantine Commissioners are directed to prois accommodations for the reception of persons, &c.

You'r Committee respectabily subant that, when the Legislaedirected the Quarantine Commissioners to provide accomdations, it was their intent that the buildings should be
sted properly intuished and ready in all respects, for the atent properly intuished and ready in all respects, for the atent properly intuished and ready in all respects, for the aminufaction and care of such patients as might be sent there
moding to swe, and, incidentally, for those suggest about the

gifts, and that the only dirty devolved on your body content of the property of the daily necessities and
hand, and when like matters for the daily necessities and
goord of the diseased.

and took, and such like matters for the daily honorable and supported the discased.

This who is strenghtened by the fact that the Legislature, for the preparation of these temporary accommodations, but the large-som of \$50,000 at the disposal of the Qurantine Commission-ers, and that your beay's probabled by law from using any of the finels for any purpose other than the care and support of emigrants whose contributions created and sustain it, and by the consideration, that your body is authorized to collect \$45 per work for each patient not an emigrant treated in any of the Quarantine establishment; that you being about the artial

the case was conceded to be correct, and cult your Committee have acted throughout.

Your Committee on their visit, found that the Quarantina Commissioners had caused to be creeted a dock, which, it so tar as appeared, would answer all necessary purposes.

That two hospital buildings of one story, and calculated for thirty two bods each, had been creeted as also a wash-house and a privy.

In the wash-house no machiners whatever had been put up, eithough it is an accitained dust that the clothes from yellow rever patients cannot be washed by head a them certain danger to the employees.

Your Committee found there, in one of the hespitals, nine beddessis, and in the other, a large number of munkett, and on the grounds, two brass neid-pieces, and, beside these enumerated articles, nothing else whetever in the way of furniture, or for the accommodation of physicisms and employee, has been provided.

The law directs these temporary establishments to be used for the necession of bersons arriving at the port of New York. as been provided.

The law directs these temporary establishments to be used or the reception of persons craving at the port of New-Lork lek of yello whever, or other postliential diseases. Now there is times when cholers, ship fever and perhaps suralized are nelated order the head of postliential diseases; and if the laminasticies of Enginetics should put persons sick of these artifons diseases in the same basicians, they would be justly

closed order the head of Petula part persons sick of these armonishers of Engineers should purpose sick of these armonishers of the same hospitals they would be justify indemned of manderous inhomanity.

There have been occasions that mainty.

There have been occasions that of doubt such will consider a single when the Commissioners of Engineers have had in the stitutions 1, see patients and we have it is provision for only 61. Enterfations the above views, and awar of the extigeness of escrives, your Committee have no health on in confinding lat re-accounts chilons such as are resurred by the law have can provided by the Quarantitie Commissioners. Neverthesis, once the test, your Committee addressed a note to the least Commissioners, Dr. Russell. Physician of Marine Health, and Dr. Trompson, Health Officer, requesting their opinion in regard to the sufficiency of the provision made a Scanner Point. Answers have been received from all the above entitled to except the Health Officer.

These answers are manyzed to this report, and your body on Scaning to them, will find that these officers, to whom the care of the health of the City of New York has been specially compited by how concurs in the conclusions of your Committee. Your Committee, concluding, respectfully submit:

1. That there are no accommodations for the physicians and employees required in the institutions.

1. That there are no horses or carriages for the conveyance of the sick or deal nor stables, coal-bins, or other concurrences indispensable to a hospital for Quarantine purposes. And your Committee therefore present the following resolution:

Resolved, That insumed as the Guarantine Committee have fool provided the accommodations, the Commissioners of and the prevision of accommodation, the Commissioners of and the prevision of accommodation, the Commissioners of the law shall have been compiled with.

ANDREW CARRIGGUE.

(Signed) RUDOLPH GARRIGAN, Chairman,

The following letters were received in reply to a letter from the Committee, soliciting information in regard to Seguine's Point and its equipments:

OFFICE OF COMMISSIONERS OF HEALTH, CITY OF NEW YORK, Aug 11, 1807. To the Commissioners of Emigratics.

Raving received on Saturday last your very polite invitation to hake an official inspection of the premises, buildings and dock selected and erected by the Quarantine Commissioners at Saguine's Point as temporary accommodations for the sick under Quarantine, and having on the 18th inst. in company with sundry other citizene of the part, under such inspection,

me deem it our duty to compty with your record by stating our conclusions. We are of opinion that the account modeline which we observed at Seature's Point are defective and incomplete, even for temporary Quarantitie purposes.

Hospitally yours.

JONAS N. PHILLIPS.

WILLIAM ROCKWELL

JEDEDIAH MILLER.

Commissioners of Health.

WILLIAM ROCKWELL Commissioners of Besch.

JEDEDIAM MILLER,

MARINE HOSPITAL QUARANTIM,

STATEN ISLAND, N. Y. Aug. 12, 1957.

Andrew Carraian, Chairman Committee on Seachings
Foint: Dear Six—I have the honor to acknowledge the receipt
of your fiver of yesterday, requesting my ontains of the
"temporary accommodations for persons arriving in the part of
"New-York with yellow fever, or other pesitlential disease",
which have recently been constructed at Seguine's Point by
the Commissioners for the Removal of the Quarantine Station.
In reply, I begleave to state that I have examined the temporary accommodations at Seguine's Point; and, while I befleve for the most part they are suitable to the garpose for
which they were intended, nevertheless in several respects, in
my opinion, they are deficient, and incomplete for the reception, treatment and general care of patients laboring index uslignant disease. Very respectfully yours.

D. H. BISSPLE.

Mr. Purpy moved that the report be approved.
Mr. W. G. Huny—We refuse to take this as a hospital. Is there anylaw compelling us to take it under

pital. Is there any law compelling us to take the cour charge?

Mr. Carrigan—I suppose that, if it was fitted up properly, we should be obliged to take charge of it. I have no rearon to think that this Commission have anything to do with it until then.

Mr. Hunt—There is no doubt, from the report, that this place is not properly adapted for quarantine hospitals. Is there snything to compel us to take it under converge.

Mr. Hunt—There is no doubt, from the report, that this place is not properly adapted for quarantine hospitals. Is there anything to compel us to take it under our care?

The President—No, Sir; I think not.

Mr. Carrican—The Governor, Lieutenant-Governor and Controller could to-morrow declare that this should be the permanent quarantine. The Commissioners to remove quarantine, who have new spent \$50,000, could then draw \$150,000 more from the State Treasury, to be reimbursed out of the proceeds of the sale of the present quarantine property on Staten Island.

The report was then adopted.

Mr. Carrican moved that a copy be transmitted to the Quarantine Commissioners.

The communication from the Quarantine Commissioners was then taken up, and referred to the Secretary of the Board to answer.

On motion of Mr. Carrican, the Board voted to pass the six shipwrecked passengers of the bark Monaco on to Galesbagh, Ill., free of charge.

The Vere Paustoner reported the case of Cornelius Burgis, who with his wife and six children were now in this city in a destitute condition. Mr. Burgis purchased a passage to Quebec for his family by the ship Chicago, of one Gray, in London, agent of Tapscott & Co., paying £27 for the same. When he went to Liverpool they told him that the ship was full and put the family on a New-York ship, promising him that they would be forwarded from New-York to Quebec, free. On his arrival he waited on Tapscott & Co., who repudiated the obligation because he had no written contract to that effect. In consequence, Mr. Burgis and his family have become destitute, and been compelled to pawn and sell most of their clothing to obtain the means of procuring bread.

The Vice-President was ordered to prosecute the house of Tapscott & Co., for breach of contract.

Mr. Garrica presented a written report in answer to a communication from the Commissioners of Emigration in Havre, which was adopted.

A communication was received from Capt. Robert Marshall of the ship City of Mobile, praying that his fines for th

dent for investigation.

The following is the regular weekly statement: 

No. of immates in institutions at Ward's Island. 1,207 1,512 No. in Marine Hospital. 163 147 

Balance. \$252,077 14

Disbursements as per provious account to Aug. 5, 1857. \$150,298 45

Sundry expenses of July 29 and Aug. 5... 13,208 31-172,764 78 

QUARANTINE COMMISSIONERS.

On Taceday morning, Quarantine Commissioner Hall and a party of friends left Whitehall for Vandbilt's Landing, where they met the other Commissioners, Messra. Bowen and Benson, and took carriages ces, Messis. Bowen and Benson, and took carriages for Seguine's Peint. Subsequently they were joined by Dr. Thempson, Health Officer, and Dr. Bissel, Physician to the Marine Mospital, and other Staten leirnd geutlemen. After they had reached the Point they took a four through the buildings and down upon the pier, some four hundred feet in length, a substantial piece of work which cost, it was said, over \$2,009. They then returned, and after another inspection of the locality, they anjourned to the house of Mr. R. C. Voorbees, about a quarter of a mile distant, and parteck of a collation. This building of Mr. Voorbees is the one which the Commissioners proposed to leave for the use of the Hoalth Officer, who should have the care of the patients at the Point. It is very commedicus, centains five large rooms, and \$1,000 rent was offered by a party last May for it for a hotel. It can accommodate one hundred people confortably, and there are fourly-one acres of land under a high state of cultivation, attached. The Commissioners of and there are folly one acres of hand under a right state of cultivation, attached. The Commissioners of Emigration in their visit on Monday did not see this building, and in fact only took a cursory glance at the new hospital buildings, and other appurtenances of the new Quarantine. A description of these houses and grounds is appended:

One of the main buildings is placed on the north-

One of the main buildings is placed on the north-west end of the plot of 1; enclosed acres, and the other, of a precisely similar build, nearer the center to the castward. These hospitals are 75 feet long and 25 feet wide, with a wing 18, feet square each, 11 feet high, one story, raised upon brick piers 5 feet in height, on a stone foundation, with a clear ventilation in ide the rooms and a free circulation underneath the buildings. The houses stand sufficiently high, upon a gently-rising knoll, and the floors are higher than the florees on three sides of the plot; so that the patients in-ide the rooms and a free circulation underneath the baildings. The houses stand sufficiently high, upon a gently-hising knoll, and the floors are higher than the fences on three sides of the plot: so that the patients will be able to look off upon the bay as they lie in their belse, and enjoy the delightful sea breeze. The buildings are handsomely whitewashed, and have Venitan blinds and a porch at each end. Nearer the bay is the wash-house. 39 feet by 39 feet, two-story frame building, with se0 feet of lead pipe to introduce water from the lake, and earthen drains are laid to carry off refuse water to Prince's Bay. In the upper story is the drying-toom, within which is a tank about 8 feet square by 3 feet in hight, to be used as a re-ervoir. A torce-pump sends up the water from the pond. This is used hot or cold as required. The Health Officer, when the buildings were planning, thought one building, to accommodate 39 or 19 patients, would be sufficient. The Commissioners have provided two buildings, which will comfortably accommodate 59 patients. The cock-house is between the two principal buildings, and contains a large stove and other accessories. A suitable range and boiler is in the wash-house also. The fence surrounding the grounds is 13 feet high, built in a substantial manner of hemlock, with iron pickets at the top. A street runs along, 100 feet wide, on the easterly side of the plot, at a right angle with the water front. At the south-west corner, outside the force, and a short distance from it, is a small take of some two acres, in which are fine perch and other fish. The proposition is to hire Mr. Voorhees's house, sear by, only for the present, and to go on and build a handsome two story frame building, outside the fence, to the castward, and 100 feet from the street that is reserved along by the fence. This house will have a randen attached. 150 feet from the water. An acre and a half of salt meadow is in the vicinity, from the mander of the proposition of the proposition of the proposition of 100 men have slept in the buildings for several months, and no sickness has occurred—as one of them remarked, not so much as a headache. The buildings which were burned are at the north and south of the present structure, a short distance off. Beside the hospital buildings, the main building and coach-house were wantonly burned. The whole of the purchase was about 10 acres. There are very few buildings within a mile square of the place. A candle factory is about a quarter of a mile distant, at the extreme end of the Point, which employs about 40 hands. Ten men now guard the hospitals, but will be withdrawn seed.

The principal discussion of the Commissioners while on the ground was in regard to the salubrity of the locality. Several of the party were physicians, and they pronounced the spot all that could be desired. When they came to Mr. Voothees's after the inspection, considerable specehifying was gone over. Commissioner Hall was called to the chair, and the following gentlemen sat down to table: Mayor Hall, Egbett Benson, Commissioner Quarantine; Commissioner Bowen, Dr. James R. Boardman, — Westervelt, ex-Health Officer; Rewland, Thompson, Bissel, the Rev. Mr. Brett, Prof. A. Osgood, and Mesara. Robert Hazard, Ray Tompkins, Geo. A. Osgood, Van

Passel, Besty ch. R. C. Voorbeer, Geo. L. Quhk, and

After the eating was sensituded, Commissioner Hair, in a secular way, proposed as their first toast the health of the Commissioners of Emigration, and would remark that he supposed the reason of their ab-sence was that they were to much fatigued with Monday's exertions Laughter, and cries of "That's

Monday's exertions Laughter, and cries of "Inat's to".

Want of space cowpeis us to limit the sayings and doings on the occasion. Suffice it to say, the dinner was matchless; and the feast of reason unexceptionable; the lively sallies, coupled as they sometimes were with cutting allusions to the Commissioners of Emigration and their opponents, were well got off.

Dr. Thompson's health was proposed, and he submitted Dr. Wrstkhurlt, who responded. He catirely approved of the conduct of the Quarantine Crammissioners, and believed they had done their duty faithfully. All that was new wanting was physicians, nurses and beds for the sick. The Commissioners deserved the thanks of the community.

Mr. Bowne was toasted, and proposed Dr. Brant. The Doctor thought Seguine's Point was the most eligible and beautiful spot for the purpose of a hospital that he knew of, and far superior to the old quarantine. The swamp so much talked of was a myth.

The Chairman was happy to see so many present to examine for themselves. He explained as to his application to the Legislature for the removal of the

tine. The swamp so much talked of was a myth.

The Chairman was happy to see so many present to examine for themselves. He explained as to his application to the Legislature for the removal of the Quarantine, and was sorry for so much opposition being manifested, but it was by people who did not know what they were talking about. He thought the Commissioners of Emigration had played them a scurvy trick—a rescally trick. He believed the day would come when people would see the folly of their course, and justify and vindicate the action of the Commissioner Bowne made a well-timed speech, in which he feelingly alluded to the individual and collective exertion he had undergone for the public benefit, and was assailed and reviled by malicious attacks, and from those especially who ought to second his efforts in the alleviation or human suffering and wee. Mr. Howne's remarks were well received.

Drs. Boardman and Rowland Themperson, Messes, Weldon, Voorhees and Tomperson, indorsed the action of the Commissioners as regards the style of building, and some of them were quite enthusiastic in their admiration of the selection of the locality.

After a couple of hours spent thus pleasantly Dr. Westerevell offered the following resolution, which was runnimously adopted, and the company took their carriages again for the landing.

Resolved, That this meeting approve of the action and conduct of the Commissioners for the removal of Quarantine, and declare their course entitled to the approbation of the public at large.

MEETING OF FIREMEN.

A meeting of officers and members of a number of Fire Companies was held last night at Brooke's Assem-

bly Rooms.

Mr. BLOOMFIELD, representative of No. 42 Engine
Company was called to the chair, Mr. A. O. Alcock,
of Hook and Ladder Company No. 10, was elected The CHAIR stated the object of the meeting to be to

take action, in view of the resignation of four out of the five Fire Commissioners, and the course to be pur-sued at the next meeting of the Board of Representa-Mr. Alcock, of Hook and Ladder Company No. 10,

Mr. Alcock, of Hook and Ladder Company No. 10, ofered the following, which was seconded by Mr. Jolike, of No. 41 Hose, and unanimously adopted:

Wheras, We have learned, with extreme regret, that four out of the five gentlemen composing the Board of Fire Commissioners, have found it necessary, in consequence of the Indignity and contomely with which the Board has been treated by the Commen Council of the City of New York, to ofer their resinations as Fire Commissioners; and,

Haeras, We are well aware of the many difficulties currounding the action of the Board of Commissioners in the present state of the law governing that body, and

Wheras, We havestly believe the Board of Commissioners to be governed by the best motives, and with the great experience they have had in the imperient working of the present law, to be the right end proper persons to suggest amendments to the same; Therefore

Resolve, That while we deprecate the action of the Commostoners in the performance of the many and onerous duties of their office, under circumstances at once so difficult and so humilisting.

Resolved That in our opinion the past and present members

of their onice, under the humilisting. Resolved, That in our opinion the past and present members of the Board of Commissioners merit the thanks and lasting gratitude of the Fire Department, for the independent and persevering manner in which they have transacted their business while laboring under the disselvantage of so many untoward

severing manner in which they have transacted their discovering while laboring under the dissidvantage of so many untoward circumstances.

Resorted, That a Committee be appointed to welt on the Board of Commissioners and request them to suggest such amendments to the law as in their good and experienced judgment they believe would give estisfaction to the Board and to the Bepartment at large.

Resolved, That Mearts. Wright, Brown, Schenck and Craft be requested to reconsider their sets of resignation, and to remain in the Board, at least until these amendments are effected.

Resolved, That Mearts to the law as will take the controlling power, as lattly exhibited toward the Board of Commissioners, and of the hands of the Common Council.

The Committee appointed by the Chair to wait upon the Commissioners, according to the above resolution was as follows: Mr. Jollie, No. 41 Hose; Mr. Moony, No. 11 Ergine; Mr. Millward, No. 46 Hose; to which, on motion, the Chairman was added.

The meeting then adjourned to Friday evening, to meet at the same time and place, to hear the report of the Committee, and take such other action as may be necessary.

THE CASE OF MRS. CUNNINGHAM.

ARGUMENT ON THE WRIT OF CERTIORARL THE WRIT DISCHARGED AND BAIL REFUSED. Yesterday morning Justice Davison made the folowing return to the writ of certiorari, served upon him on Tue-day, commanding him to return the pro-

ceedings, &c., in the case of Mrs. Cunningham:

"I, William S. Davison, a Police Justice, respectfully return that on the 3d day of August, A. D. 1257, A. Oakey Hall, eq., appeared before me ani made his complaint under eath, in writing, scalars Emma A. Burdell, for a willful and folonious violation of section 51, article 4, chapter 1, part 4 of the Revised Sistates; that thereupon, in due course of law, I proceeded to examine the witnesses produced in support of the prosecution, and reduce the testimony to writing, and thereupon made, in pursuance of the statute, the examination of the prisoner; that the prisoner waived her right to cross-examine the witnesses for the people, or introduce witnesses on her own behalf; that upon the said proceeding I considered, and a decided, that as offense against the said statute had been committed, and that there was probable cause to believe the prisoner guilty thereof; and thereupon I made a warrant of commitment in due form of law, a copy of which said warrant is hereto returned, marked schedule A; that in due course of law I have sent to the office of the Clerk of the Court of Sessions the depositions so, as above, taken by me. WM S DAVISON, Police Justice. "Police Court, Second Dist, New York, Aug. 12, 1837."

The warrant of commitment, already published, is attached.

The warrant of commitment, already published, is attached.

This return, District-Attorney Hall said, was superceiled, except so far as related to the cause of detention by the return of the Clerk of the Court of Sessions, which is as follows:

I. Henry Vandervoort, Clerk of the Court of General Sessions in the peace and for the City and County of New-York, do return to the sunsed writ of certiforari, that I have no present or official mowhedre of the day and cause of imprisonment of the said Emma August Burdell, if imprisoned she be that I do not detain and have not detained her, the said Emma Augusta Burdell, either by that name, or by any other, sor have any persent or official knowlege of her detention.

I return herewith the certain original affidavits against her the said Emma Augusta Burdell, and her examination under the charge of felony, which have been, under the statute in sone case made and provided, certified to the Court of General Sessions of the Peace, where of I am Clerk.

Jugust 12, 1877.

The District Attorney said he would, waiving technical objections, move, on behalf of the people, that the writ he dismissed on the ground that the judge below hed not erred in his decision.

Mr. Stafford said that would reise the whole merits of the case. The questions were, first, whether there

belew hed not erred in his decision.

Mr. Stefford said that would reise the whole merits of the case. The questions were, first, whether there had been an effense committed; and second, whether there was probable cause to believe that his client had committed rhe offense. He referred to the statute defining the offense, and contended upon the affidavits that no offense had been committed under the statute. Hie then read from the affidavits of Dr. Montagnie, the officers and others, relative to Mrs. Cunningham a declarations that the child was Dr. Burdell's, &c. There had never been such a case before in this State. He insisted that the "production" must be in some legal way so as to intercept the inheritance, and net merely Mrs. Cunningham's lide declaration. There had been a claim to Burdell's estate set up by her, but "claiming" did not amount to anything. He was satisfied that there must be some overt act made in a court of justice before the statute could be violated. The declarations made in her own house at midnight were not "producing" to the public. Her statements, again, were not voluntary, but elicited by questions. If was for the court to say whether, when men invade a private domicil at night, for the express purpose of inclueing a crime, the declarations of the person so tempted shell have weight. There had been a decision on this point in England, to which he would call the attention of the Court. Criminal statutes must be trictly construed, and admitting that this woman "claimed" to be the wife of Dr. Burdell, it amounted to nothing, without evidence that she was his wife. The Judge thought it was not material whether she to nothing, without evidence that she was his wife.

The Judge thought it was not material whether she

The Judge thought it was not material whether she was or was not his wife.

Mr. Stafford thought it was important, because if she was not his wife the child could not inherit, and there was no violation of the statute. He proceeded to speak of the commitment being made in the name of Cunningbam, and other matters inconsistent with her being the wife of Dr. Burdell.

The Court said there was, at all events, a certain pretense on her part that she was the mother of the child, that Dr. Burdell was its father, and coupled with this was her assumption of being the widow of Hervey Burdell. He wanted to knew what evert or

legal act would be accounty to constitute a pro-duction within the meaning of the statute.

Mr. Stafford instanced the making of a claim for guardianship. A mere assertion, which would have nobody, was not a crime.

guardianship. A mere assertion, which would him nobody, was not a crime.

The Court inquired what could be the presumption of intent in this case, under the circumstances at footh in the stildayits. There was a presents that the child was boun of her, and that it was the legitimate child of Harvey Burdell, and he thought that part of the statute was met; it only remained to show what must in law be regarded as the intent of the production. She must have had some object, and would not the conclusion of the law be that she intended to violate the statute in some way?

Mr. Stafford contended that such intent could not be cally be inferred from her mere declarations, but the

Mr. Stafford contended that such intent could not legally be inferred from her mere declarations, but the Court raid there were acts calculated to give color to the declarations. There was the pretunes of recent childbirth, Acc. He thought that decrine would deprive Mrs. Cunningham of the space of repentance, which the law always allowed.

The Court said she had proceeded far enough to furnish evidence that she gave birth to the child, and that coupled with proof of marriage to Dr. Burdell, would suffice to make good a claim to the estate,

Mr. Stafford said that showed the necessity of proof to the marriage.

Mr. Stafford said that he was assuming the marriage to be established beyond a peractreature.

Mr. Stafford said that positive proof of the marriage

Mr. Stafford said that positive proof of the marriage did not exist in the case.

The Court said it amounted to the same thing whether she was married to Burdell or not. He referred to a remarkable case of simulated parturition in France, by the contrivance of a lawful wife and husband, who desired to have an beir. The child was born of another woman lying beneath the pretended mother. In after years the fraud was discovered and the woman punished.

Mr. Stafford said there was still the difference, that the marriage there was undoubted, while here it was not cetablished.

Mr. Hall called the counsel's attention to the fact that no witness was in court when she produced her

that no witness was in court when she produced

Mr. Hall called the course's attention to the fact that no witness was in court when she produced her marriage certificate.

The Judge thought that she had at least laid the foundation of a crime, and even in the light in which. Mr. Stafford presented the case, it was the duty of the committing magistrate to commit her. If the case were before him as a committing magistrate he would have felt it his duty to commit, even on the parts of affidavits the counsel had just read.

Mr. Stafford then passed to the question of bail. Mr. Hall called attention to the statute providing that in criminal cases the amount of bail shall be fixed only by the tribunal having jurisdiction of the offense. Mr. Stafford quoted other statutes, and there was coniderable discussion on the subject.

Mr. Stafford said he would make the motion de norm that she be admitted to bail, in the same way as if the indictment had been handed in to the Court of Sessions. He quoted the statutes under which he believed the Court had a right to admit her to bail. The Judge conceived that ro argument was necessary on this motion, as he was of opinion that under the circumstances it would have been improper for the committing magistrate to allow bail. The following order discharging the certiorari was made:

ORDER OF DISCUSARGE.

Upon the return of the within wit, and the depositions and

ORDER OF DISCHARGE.

Upon the return of the within writ, and the depositions and period and considered, after argument for the prisoner, ordered that the writ he discharged.

CHAS. P. DALY, J. C. P. Algust 12, 1857.

Atterney Hall, in anticipation of argument on the writ, which the decision of the Judge rendered unnecessary. Points for the Feorle.

The committing migistrate has in review of the evidence adjudged that a felony has been committed, and that no reasonable doubt of the defeadant's guilt arising upon the facts uncertioverted in testimony by her, bail should be refused.

The Justice who is called upon to review the commitment and the papers embodying the evidence new brought up by certiorari, should dismiss the writ, and leave the custody as it now is and without bail.

The commitment being on a charge of felony, the rule is general, not to say universal, that unless the case appear on the depositions to be a very doubtful one, the prisoner cannot be let to bail, though the crime be not capital. (Hill's Essay on Hab. Corp., 3 Hill, 672.) (5 Cow. 39. Ex parte Tayloe for manslaughter, where imprisonment was less than for the felony now olleged against Mrs. Burdell.) Says Mr. Hill in his invaluable essay:

"The rule in Tayloe's case is in full accordance with the spirit in which punishments have been mitigated by our criminal code. The principle undoubtedly was that while the amount of punishment was reduced, the certainty of its infliction, at least, should not be diminished. The crime there charged and the punishment, though not capital, were still infamous, and in such cases, where no reasonable doubt of guilt arises upon the evidence, it is impossible for the Court to say what pecuniary forfeiture will compensate the consequences of impunity. The speculation comprehends not only the individual case, but the interests which a large community have in the faithful execution f the criminal law. Vigilance and certainty in this espect can alone insure public asfety and tranquillity. Lastly, while it brings the administration of justice not contempt, it is sure to result in the greatest of so ial evils—the indiscriminate punishment of guilt and nocence at the hands of the infuriated multitude."

These latter words of Mr

A short time before the adjournment of the General Sersions yesterday, William R. Stafford, counsel for Mrs. Cunningham in the issues and trials growing out of the late Eard street affair, appeared before Recorder Smith, and offered a motion that his Honor allow Mrs. Cunningham ball in the matter of her present imprisonment. The same application had a short time before been made to Judge Daly and returned, but not, as Mr. Stafford understood, for any reason connected with the merits of the application.

Mr. Hall, who appeared in opposition, differed as to the construction to be put upon the reasons given by Judge Daly for his decision. The District-Altoracy contended that Judge Daly refused besil because he refused to interfere with the other magistrate's adjudication in regard to Mrs. Cunningham.

The question was argued at considerable length by counsel on both sides.

The questicn was argued at considerable length by counsel on both sides.

After argument the Recorder denied the motion of Mr. Stafford for bail. He said he had never interfered where bail had been refused by a magistrate upon full evidence, and he considered that he had no right to interfere, unless there was evidence showing special oppression in the case. The Recorder further took occasion to remark that in about three-fourths of the cases where bail was admitted it should not be, and would not be upon matere and proper reflection.

A VIGILANCE COMMITTEE IN VIRGINIA.—The Wheeling (Va.) Times of Friday says:

"The citizens of Moundsville have organized themselves into a Vigilance Committee to rid that community of a nest of lewd women who seem lately to have made that town their abode. It appears that last Sunday there was a row at one of the cetablishments known as 'Esmeralda,' and kept by a woman named Gully, when three of the women were sent to jail. The next day the keeper of the establishment was told she must leave, and we learn the inmetee, with all their freight, were shipped from Moundsville to Farkersburg. Having rid themselves of this melance yesterday, the Committee repaired at once to the

The following are the points prepared by District-Atterney Hall, in anticipation of argument on the writ, which the decision of the Judge rendered unnecessary.

Now, did the magistrate err in his estimate of the Now, did the magistrate err in his estimate of the atrong probabilities of guilt?

The accused for mouths past feigaed pregnancy. At first deceived Uhl and Catlin, her doctors.

She urges probable heirship before Surrogate.—Testimony of Bulen.

She prepares baby clothes.—Testimony of her daughters.

Pretends actual delivery—Dr. Catlin—testimony of Mrs. Barnes and Wilt—and exhibits child as her own to the former.

Now these are evidences of her own, and not shared by the authorities.

own to the former.

Now these are evidences of her own, and not shared by the authorities.

The inference of law is that when a woman produces an infinit as her own after feigned gestation, after claim to heirship in a public court, that she has an intent of a fraudulent nature. The statute makes this, which would have been a fraud at common law, a felony. Then take the other evidences which were shared by the authorities.

It is idle to say she was led into crime. Size had resolved upon it, and taken many overt acts (as it now appears) long before the authorities knew of it. From her character and still persistence in her innocence (see her examination—not in a silence, which the law allows, but in a direct assertion), it is fair to presume that she would have obtained her ovidences of crime elsewhere. She sends after a marked child—as a clerk is seen to take a marked bill after suspictor points to him—produces it as her own. She fakely pretends by a thousand little acts, as well as a few strong words, that it is the child of Burdell and of herself. Now, if it was, the law, without her assertion, instantly on its birth, invests it with heirahip. It is formally proven the putative father left property, &c.—Tes. cf Bulen and Pub. Adm.

Now, here is a woman taken in flagrante delicto, giving no explanation, and the circumstances exist such as to allow the law first cited to be applied, and to demiss the writ. A. Oakey Hall, for the People.

RECORDER SMITH REFUSES TO BAIL MRS. CWNNING.

would not be upon mature and proper reflection The motion was denied.

A VIGILANCE COMMITTEE IN VIRGINIA .- The